

Monsanto

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LAW DEPARTMENT

Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri 63167
Phone: (314) 694-1000

December 23, 1994

Ms. Carol Graser Ropski
Emergency Support Section
U.S. Environmental Protection Agency (HSE-5J)
77 West Jackson Boulevard
Chicago, Illinois, 60604

Re: Response to General Notice of Potential Liability and
Request for Information; Sauget Area 2, Site Q

Dear Ms. Ropski:

Monsanto Company acknowledges receipt of the above referenced Notice and Request for Information on December 22, 1994, and notes that two responses are requested: the first, within seven (7) days of receipt; the second within twenty-one (21) days of receipt. This letter is Monsanto's first of the two responses.

As a preliminary matter, in response to the EPA's Special Notice letter, Monsanto disagrees with the EPA's over-broad assumption of authority, which it asserts is conferred by the Comprehensive Environmental Response Compensation & Liability Act ("CERCLA"), 42 U.S.C. Sec. 9601 et seq. Monsanto also objects to EPA's demand for payment of alleged response costs and undefined purported future response costs. The EPA provides no documentation for any of these costs as alleged. Monsanto reserves any and all objections, defenses and denials, whether or not stated here, to the EPA's issuance of the Special Notice Letter and/or the statements, allegations and demands which it contains. Nothing contained in this response is intended, not can it be construed, as an admission or waiver of any issue or question of fact or law, which are now or hereafter may be available to Monsanto.

Subject to the foregoing statement and reservations, however, and consistent with Monsanto's policy of cooperation with government agencies, Monsanto agrees to negotiate with the EPA and other potentially responsible parties ("PRP's") concerning the conduct or financing of the activities described in the Special Notice Letter. Monsanto is prepared to participate with such other PRP's in such negotiations toward the

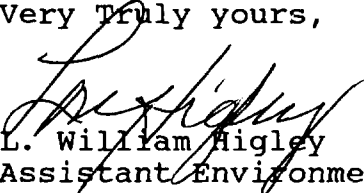
goal of achieving an equitable and appropriate apportionment of responsibility at the Site based on all relevant factors.

Please direct all future and further communication on this matter to the undersigned counsel:

L. William Higley
Assistant Environmental Counsel
Monsanto Company
800 North Lindbergh Blvd.
St. Louis, MO, 63167

Telephone Number: (314) -694-8503
Fax Number: (314) -694-2920

Very Truly yours,


L. William Higley
Assistant Environmental Counsel

cc: S. P. Krchma
S. D. Smith